

## **PORT ST. JOE, FLORIDA**

**DECEMBER 12, 2006**

### **REGULAR MEETING**

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Carmen L. McLemore, Vice Chairman Bill Williams, and Commissioners Billy E. Traylor, Nathan Peters, Jr. and Jerry W. Barnes.

Others present were: County Attorney Timothy McFarland, Clerk Becky Norris, Clerk Finance Officer Carla Hand, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Building Official Lee Collinsworth, E.D.C. Director Alan McNair, Emergency Management Director Marshall Nelson, E.M.S. Director Shane McGuffin, Human Resources Director Denise Manuel, Jail Administrator Evette Farmer, Planner David Richardson, Road Department Superintendent Bobby Knee, Assistant Road Department Superintendent Chris Wood, Veterans' Service Officer James Kennedy, and Sheriff's Office Deputy Shawn Butler.

Sheriff's Office Deputy Butler called the meeting to order at 6:00 p.m., E.T.

Rev. Andrew Rutherford opened the meeting with prayer, and Chairman McLemore led the Pledge of Allegiance to the Flag.

### **CONSENT AGENDA**

Commissioner Traylor motioned to approve the following Consent Agenda items. Commissioner Peters seconded the motion, and it passed unanimously.

1. Minutes - November 14, 2006 - Regular Meeting
  - November 16, 2006 - Special Meeting
  - November 27, 2006 - Public Hearing
  - November 27, 2006 - Regular Meeting
2. Agreement - U.S. Department of Agriculture Natural Resources Conservation Service (Emergency Watershed Protection Project Agreement #69-4209-5-1754 - Amendment No. 6)
3. Appointment - Apalachee Regional Planning Council (Transportation Disadvantage Coordinating Board Appointment)
4. B.C.C. Correspondence - Commissioner Wall of Honor (Nathan Peters, Jr., District 4)
5. Bid Advertisement - Wewahitchka E.M.S. (New Ambulance)

6. Grant Agreement - FL Department of Environmental Protection (Amendment No. 1 - St. Joseph Peninsula Beach Restoration Project)
7. Inventory - Public Works Department (Junk #70-319, #70-320, #70-322, #70-323, #70-330, #70-333, #70-334, #70-682, #70-469)
8. Invoice - Agency for Health Care Administration - Medicaid (October, 2006 \*  
\$3,685.00 to be paid from Account #52264-34100)
  - Bay Medical Center - H.C.R.A. (#0626100232 \*\$99.96 / #0627100289 \*  
\$199.92 to be paid from Account #54162-31500)
  - County Attorney Timothy McFarland (November, 2006 \* \$10,092.00 to be  
paid from Account #21314-31100)
  - Keith L. Jones, C.P.A. - Auditing Services (#433 \* \$13,142.75 to  
be paid from Account #21111-32000)
  - Kenny Strange Electric - Dead Lakes Park (#2745 \* \$3,600.00 / #2764 \*  
\$2,200.00)
  - MRD Associates, Inc. - Erosion Control (Project No. 05-210.2 \* #710 \*  
\$10,744.25 / Project No. 06-210.7 \* #711 \* \$14,299.59 to be  
paid from Account #43137-31000)
  - Preble-Rish, Inc. - Stone Mill Creek Road (Retainage \* \$81,120.88 to be  
paid from Account #40641-31000)
  - Preble-Rish, Inc. - County Road 5 (#4531 \* \$23,493.50 to be paid from  
Account #41441-53000)
  - Preble-Rish, Inc. - Money Bayou Headwall (#4532 \* \$18,029.40 to be  
paid from Account #40341-31000)
  - Preble-Rish, Inc. - Howard Creek Road (#4533 \* \$380,912.53 to be paid  
from Account #40641-31000)
9. Meeting Cancellation - Regular Meeting scheduled for 12/26/06
10. Payment Extension - Animal Control Fees (Sabrina Vickers)
11. Property Tax Bulletin - 2006 Preliminary Assessment Roll
12. Purchase Request - South Gulf County Fire Department (New Fire Truck from  
Ferrara Fire Apparatus to be paid from Florida Sheriff's Association Bid No. 05-06-  
0823)
13. Travel - 2007 NACo Conference (Washington, DC \* 03/3-7/07)

(End)

**"SWEARING-IN" CEREMONY / COMMISSIONER NATHAN PETERS, JR.**

Former Clerk of Court George Core administered the Oath of Office to Nathan Peters, Jr. for the office of County Commissioner for District IV.

### **PUBLIC HEARING - SCHOOL INTERLOCAL AGREEMENT**

Pursuant to advertisement to hold a public hearing regarding the proposed School Interlocal Agreement, County Attorney McFarland read the proposed agreement by title, and called for public comment. There being no public comment, Commissioner Peters motioned to approve the proposed School Interlocal Agreement. Commissioner Traylor seconded the motion, and it passed unanimously.

### **PUBLIC HEARING - CAPITAL IMPROVEMENTS SCHEDULE ORDINANCE**

Pursuant to advertisement to hold a public hearing to consider adoption of an ordinance amending the Gulf County Five-Year Capital Improvements schedule, County Attorney McFarland read the proposed ordinance by title. There being no public comment, Commissioner Traylor motioned to adopt the following-titled ordinance. Commissioner Barnes seconded the motion, and it passed unanimously.

#### **ORDINANCE NO. 2006-23**

**AN ORDINANCE AMENDING THE GULF COUNTY FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR REPEAL OF ORDINANCE IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**\*\*Complete ordinance on file with Clerk\*\***

(End)

### **PUBLIC HEARING - TRANSPORTATION FAIR SHARE ORDINANCE**

Pursuant to advertisement to hold a public hearing to consider adoption of an ordinance to establish a method whereby the impacts of development on transportation facilities can be mitigated, County Attorney McFarland read the proposed ordinance by title. There being no public comment, Commissioner Traylor motioned to adopt the following-titled ordinance. Commissioner Williams seconded the motion, and it passed unanimously.

#### **ORDINANCE NO. 2006-24**

**THE PURPOSE OF THIS ORDINANCE IS TO ESTABLISH A METHOD WHEREBY THE IMPACTS OF DEVELOPMENT ON TRANSPORTATION FACILITIES CAN BE MITIGATED BY THE COOPERATIVE EFFORTS OF THE PUBLIC AND PRIVATE SECTORS, TO BE KNOWN AS THE PROPORTIONATE FAIR-SHARE PROGRAM, AS REQUIRED BY AND IN A MANNER CONSISTENT WITH 163.3180(16), F.S.**

**\*\*Complete ordinance on file with Clerk\*\***

(End)

### **P.D.R.B. RECOMMENDATIONS DECEMBER 11, 2006**

The Board then addressed the following recommendations from the December 11, 2006 meeting of the Planning & Development Review Board:

#### **FINAL PLAT APPROVAL - BAYWOODS**

Pursuant to advertisement to hold a public hearing to consider final plat approval for B.J. Heard & Chris King (Parcel ID #06230-000R \* 4.5 acres in S25, T8S, R11W \* 11 units), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner Peters motioned to approve the final plat of Baywoods subdivision, subject to all Federal, State and Local development regulations. Commissioner Traylor seconded the motion, and it passed unanimously.

#### **PUBLIC HEARING - RESOLUTION - M.S.T.U. BONDS**

Pursuant to advertisement to hold a public hearing to consider adoption of a resolution restating Resolution No. 2006-47, County Attorney McFarland read the proposed resolution by title. Commissioner Traylor motioned to adopt the following titled resolution. Commissioner Barnes seconded the motion, and it passed 4 to 1, with Commissioner Peters voting no.

#### **RESOLUTION NO. 2006-49**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA RESTATING IN ITS ENTIRETY RESOLUTION NO. 2006-47 OF THE COUNTY, ADOPTED DECEMBER 5, 2006; AND PROVIDING AN EFFECTIVE DATE.**

\*Complete Resolution on file with Clerk\*

(End)

#### **KING HOUSE DEMOLITION**

Upon inquiry by Chairman McLemore regarding the demolition of the King house, Building Official Collinsworth stated that December 13<sup>th</sup> is the deadline for the Kings before it is sent to the Special Master. County Attorney McFarland discussed that Mr. King has repeatedly stated that he will tear the house down, and his attorney stated that he will be tearing it down on his own, but nothing has been done on this issue therefore it needs to be handled through the Special Master.

#### **PROPOSAL - CATHEY CONSTRUCTION**

Chief Administrator Butler recommended that the Board approve an agreement with Cathey Construction & Development for the Courthouse roof project, contingent upon legal review.

Commissioner Peters motioned to approve this recommendation. Commissioner Traylor seconded the motion, and it passed unanimously.

### **GULF COUNTY JAIL**

Upon inquiry by Chairman McLemore regarding the progress with the jail, Chief Administrator Butler discussed that an advertisement was placed in The Star for Correctional Officers and a Jail Administrator. He stated that the County Commissioners will be running the jail effective January 1, 2007, and that he has contacted Franklin County, Calhoun County and Bay County for options if our jail facility is not up to standard. Chief Administrator Butler discussed that auditors are coming in on Saturday and Sunday to perform a facilities audit and audit the books for the jail, stating that they will furnish a report within ten days. He stated that Bay County Commissioners will meet on Tuesday, December 19<sup>th</sup> at 9:00 a.m., C.T. to consider an Interlocal Agreement with Gulf County. County Attorney McFarland discussed that Franklin County and Calhoun County do not have the capacity to assist at this time. After further discussion, Chairman McLemore scheduled a special meeting on December 19, 2006 to discuss the jail.

### **PARTIAL PAYMENT/ANIMAL CONTROL FEES**

Upon inquiry by Clerk Norris regarding page 91 of the Consent Agenda (someone requesting to make partial payments on animal control fees), stating that there is a \$25.00 payment plan fee. Commissioner Williams stated that he will notify the individual of the fee.

### **OVERSTREET WATER GRANT**

Deputy Administrator Lanier discussed that Fred Fox Enterprises is administering the grant for the Overstreet water project, stating that they have submitted an environmental review for this project, and requested that the Chairman sign it, contingent upon approval by the County Attorney. Commissioner Peters motioned to approve this request. Commissioner Barnes seconded the motion, and it passed unanimously.

### **AWARD BID #0607-08 - SALE OF 1993 CHEVROLET SPORT VAN**

Upon recommendation by Road Department Superintendent Knee, Commissioner Traylor motioned to award Bid #0607-08 (sale of a 1993 Chevrolet Sport Van, Model #CG31306, vin #1GAGG35K3PF362099 for the Road Department) to Steve Shiver, in the amount of \$62.00. Commissioner Barnes seconded the motion, and it passed unanimously.

### **AWARD BID #0607-04 - PAVING CLAY**

Road Department Superintendent Knee discussed that the Engineers have inspected the clay at the Taunton pit and at the Daniels pit in Kinard, and that they recommend that the County use the Daniels pit in Kinard. After further discussion, Commissioner Williams motioned to award Bid #0607-04 (for paving clay) to Daniels Fill Dirt, in the amount of \$1.50 per yard. Commissioner Peters seconded the motion, and it passed unanimously.

## **WEWAHITCHKA SUBSTATION**

Commissioner Traylor motioned to proceed with payment of the Wewahitchka Substation property, in the amount of \$85,000.00, and that the Board be reimbursed when the financing is obtained. Commissioner Williams seconded the motion, and it passed unanimously.

## **SPECIAL PROJECTS PAYMENTS**

Sandy Lieberman, Senior Citizens Coordinator, appeared before the Board and requested a donation from the Special Projects for the needy children and the elderly for Christmas. Upon motion by Commissioner Traylor, second by Commissioner Peters, and unanimous vote, the Board approved the following Special Projects payments:

Dist. 1	Senior Citizens - Donation	\$100.00
	Gene Raffield Football League - Donation	\$250.00
	Public Works Department - Employee Appreciation	\$100.00
	Road Department - Thanksgiving Dinner	\$ 65.75
Dist. 2	Senior Citizens - Donation	\$100.00
	Gene Raffield Football League - Donation	\$250.00
	Public Works Department - Employee Appreciation	\$100.00
	Road Department - Thanksgiving Dinner	\$ 65.76
Dist. 3	Senior Citizens - Donation	\$100.00
	Gene Raffield Football League - Donation	\$250.00
	Public Works Department - Employee Appreciation	\$100.00
Dist. 4	Senior Citizens - Donation	\$100.00
	Gene Raffield Football League - Donation	\$250.00
	Public Works Department - Employee Appreciation	\$100.00
Dist. 5	Senior Citizens - Donation	\$100.00
	Public Works Department - Employee Appreciation	\$100.00

(End)

## **2007 CHAIRMANSHIP**

Upon motion by Commissioner Peters, second by Commissioner Traylor, and unanimous vote, the Board approved for Commissioner Williams to assume Chairmanship effective the first meeting in January, 2007, and for Commissioner Barnes to be Vice Chairman.

## **ROAD REPAIRS - C.R. 30A**

Upon motion by Commissioner Barnes, second by Commissioner Williams, and unanimous

vote, the Board approved closing C.R. 30A for repairs, per the request of the contractor. Commissioner Barnes discussed that it will take approximately 3 - 4 days to complete the work, and that the residents on Painted Pony Street have agreed to let local traffic and emergency vehicles use this road during the closure.

### **BUILDING DEPARTMENT FEES - CITY OF PORT ST. JOE**

Commissioner Barnes discussed a note from City Manager Lee Vincent, stating that the City is requesting a 3% increase for building fees, which would be a total of 18%. Commissioner Barnes then motioned to approve this request from the City of Port St. Joe. Commissioner Peters seconded the motion for discussion. Building Official Collinsworth discussed that the City of Port St. Joe has their own comprehensive plan, and the Building Department has no control over their set-backs or height control limitations. After further discussion, the motion passed 3 to 2, with Commissioner Traylor and Chairman McLemore voting no.

### **C.P.R. TRAINING**

Commissioner Barnes discussed the great job performed by Jarred Wester, E.M.T. and Training Coordinator, in training the students at Port St. Joe High School and Wewahitchka High School in C.P.R., stating that he has trained 191 students and has more scheduled to be trained.

### **AMERICAN CANCER SOCIETY - RELAY FOR LIFE**

Darlene Spencer, from the American Cancer Society, appeared before the Board and discussed the American Cancer Society Relay for Life. Andrew Rutherford, Gulf County Representative for American Cancer Society, appeared before the Board and discussed the Relay for Life events scheduled for April 13-14, 2007 at Honeyville Park and April 27, 2007 in Port St. Joe at Shark stadium. Commissioner Williams designated Human Resources Director Manuel as the contact person for the County.

### **LEGISLATIVE CONFERENCE**

Commissioner Williams discussed the Legislative Conference which sets the agenda with the Florida Association of Counties, stating that they have recommended a reform that all sixty-seven Counties vote on to recommend to the Legislature. Commissioner Williams discussed that the Florida Association of Counties is attempting to cap the property tax increases on businesses to 10%, and portability of homestead for "empty-nesters", and first-time home buyers.

### **BUDGET REQUEST - FLORIDA ASSOCIATION OF COUNTIES**

Commissioner Williams discussed the community issue budget request to be submitted to the legislative, stating he would like to request 2 million for expansion for Beacon Hill.

### **HIGHLAND VIEW PARK**

Commissioner Williams discussed the progress on the Highland View Park, stating that the crews are working on the walking track at this time.

### **WHITE CITY PARK**

Commissioner Williams discussed issues at the White City Park, stating that there is a pump leaking inside the Search and Rescue building.

### **HIGHLAND VIEW AND BEACON HILL PARK**

Commissioner Williams discussed a preliminary conversation with St. Joe Company regarding connection of the Highland View Park and Beacon Hill Park behind the Highland View area, stating that there are funds that can be acquired through the community land trust under conservation.

### **HIGHLAND VIEW SEWER**

Commissioner Williams discussed that the City of Port St. Joe has advertised for bids for the Highland View sewer system, and construction should begin within thirty to forty-five days.

### **ROAD REPAIRS - ARIZONA CHEMICAL**

Commissioner Williams discussed that he attended a meeting at Arizona Chemical regarding repairs to the road into the plant. Commissioner Williams requested permission from the Board to work with Mr. Brockman and the City of Port St. Joe on repairs for this road.

### **ANIMAL CONTROL - GOATS**

Kenneth Jackson appeared before the Board and inquired about six goats that were picked up by animal control, stating that the goats were picked up the day before Thanksgiving from Joel Britt in Wewahitchka. He stated that Joel Britt had given the goats to him, and he appeared the day before Thanksgiving to pick up the goats, and was told that the goats had been picked up by animal control. Mr. Jackson stated that it was after-hours on Wednesday, and the Offices were closed for the holidays on Thursday and Friday, so he called on Monday morning and spoke with Animal Control Officer Jones regarding the goats. He was told by Animal Control Officer Jones that he had a call into the County Attorney and he would call him back. Mr. Jackson stated that Mr. Jones never called him back that day, so he called back on Wednesday and was told by Mr. Jones that he had a call into the Commissioners and he would call him back. He discussed that Mr. Jones called him on Thursday stating that the goats had been sold. Chairman McLemore stated that the goats were held for five days, and then offered to the Humane Society (which did not want them) so the goats were sold for a total of \$120.00. Commissioner Peters motioned to reimburse Mr. Jackson \$60.00 for the goats.



Commissioner Williams discussed that the procedures need to be reviewed. After further discussion, Commissioner Peters withdrew his motion.

**C.R. 30A HEAD WALL**

Chief Administrator Butler reported that he, Emergency Management Director Nelson, Commissioner Barnes, and F.E.M.A. Representatives reviewed the project on C.R. 30A (GAC is currently building a head wall to be paid from funds received from N.R.C.S. and road bond funds). He stated that F.E.M.A. has agreed to pay 75% and the State will pay 12.5% for the cost of capping the road (not to exceed \$60,000.00), Chief Administrator Butler requested permission for GAC to continue the project, with costs to be paid by F.E.M.A. and the State of Florida. Commissioner Traylor motioned to approve this request. Commissioner Williams seconded the motion, and it passed unanimously.

There being no further business, and upon motion by Commissioner Traylor, the meeting did then adjourn at 7:26 p.m., E.T.

**CARMEN L. MCLEMORE  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK**